
DIGEST

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St. Germain

HB No. 1420

Abstract: Relative to the classified fire service, to make the provisions of such service applicable to nonprofit corporations that enter into cooperative endeavor agreements with municipalities, parishes, and fire protection districts to provide fire protection services.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 Constitution made statutory by the 1974 Constitution. Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by a 2/3 vote of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 Constitution made statutory by the Constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Proposed law retains present constitution and present law. Proposed law additionally provides that the classified fire service shall be applicable to a nonprofit corporation that has entered into a cooperative endeavor agreement with any municipality, parish, or fire protection district to which present law applies to provide fire protection services.

Present law provides that the classified service shall comprise every position, except those included in the unclassified service, to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government or with an officer or employee thereof, and which has as its primary duty and responsibility one of the following:

(FIRE)

- (1) The chief and assistant chiefs; the intradepartmental division, bureau, squad, platoon, and company officers of the fire department.
- (2) Firefighting.
- (3) Fire prevention; inspection.
- (4) Driving, tillering, and operation of fire apparatus.

- (5) Operations and maintenance of radio, fire alarm, or signal system.
- (6) Fire department instructors in employee training.
- (7) Fire salvage and overhauling services, first aid, advance life support, and emergency medical services.
- (8) Automotive or fire apparatus repairs, if such service is operated exclusively by and for either or both the fire or police department.
- (9) Secretary to the chief. Departmental records clerk.

(POLICE)

- (1) The chief and assistant chiefs; the intradepartmental division, bureau, squad, platoon, and company officers of the police department.
- (2) Law enforcement.
- (3) Crime prevention; identification; inspection; and investigation.
- (4) Police headquarters desk service; jailer, and police matron.
- (5) Operations and maintenance of radio, police alarm, or signal system.
- (6) Police department instructors in employee training.
- (7) Police control of traffic (vehicular and pedestrian.)
- (8) Automotive or police apparatus repairs, if such service is operated exclusively by and for either or both the police or fire department.
- (9) Secretary to the chief. Department records clerk.

Proposed law retains present law and additionally provides that the classified fire service shall also comprise every position, except those included in the unclassified service, to which the right of employee selection, appointment, supervision, and discharge is vested in a nonprofit corporation that has entered into a cooperative endeavor agreement with any municipality, parish, or fire protection district covered by present law, or with an officer or employee thereof to provide fire protection services and which has as its primary duty and responsibility (1) through (9) above in the fire service.

Present law additionally provides relative to the persons and positions comprising the unclassified service including but not limited to officers elected by popular vote, persons

appointed to fill vacancies in elective offices, and any position of employment, the duties of which are included in the classified service, to which the right of employee selection, appointment, supervision, and discharge is vested in and with those other than the municipal, parish, or fire protection district government or an officer or employee thereof.

Proposed law retains present law and additionally provides that the unclassified service shall comprise any position of employment, the duties of which are included in the classified service, to which the right of employee selection, appointment, supervision, and discharge is vested in and with those other than any other than the city, parish, or fire protection district or a nonprofit corporation that has entered into a cooperative endeavor agreement with the municipality, parish, or fire protection district covered by present law to provide fire protection services.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:2471 and 2531; Adds R.S. 33:2481.4 and 2541.1)